

22 March 1979

MEMORANDUM FOR THE RECORD

SUBJECT: Status of S. 2525

1. The original S. 2525, dated 9 February 1978, in subsection 421(a)(5), page 185, dealt with renting of premises within or outside the United States without regard to the Public Buildings Act of 1959 (40 U.S.C. 601-615). It is quoted below in its entirety:

"Section 421(a) In carrying out its functions under this Act, the Agency is authorized to --

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(5) 'rent any premises within or outside the United States necessary to carry out any function of the Agency authorized under this title; lease buildings without regard to the limitations prescribed in section 322 of the Act entitled "An Act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1933, and for other purposes," approved June 30, 1932 (40 U.S.C. 278a); acquire, construct, or alter buildings and facilities without regard to the Public Buildings Act of 1959 (40 U.S.C. 601-615); and repair, operate, and maintain buildings, utilities, facilities, and appurtenances;"

2. Naturally, the Office of Logistics offered no comment on this element of the bill since we were in complete agreement with it.

3. On 8 August 1978 (OGC 78-5221), we were again asked to review a revision of S. 2525. Subsection 421(a)(5) as quoted above was deleted in its entirety. The DDA was advised of this deletion by memorandum on 15 August 1978 (OL 8-3873). On

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25 August 1978, the Assistant for Information (AI). DDA, appropriately notified General Counsel [redacted] of our concern (DDA 78-1050/3; OL 8-4088).

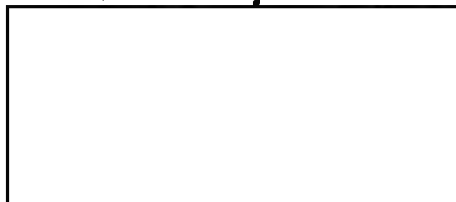
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4. On 1 September 1978, Associate General Counsel (AGC) informed DDA (OGC 78-5838) that when Subsection 421(a)(5) was deleted it was intended that Section 422(a) would provide overall broad procurement authority. AGC further stated that this had satisfied no one and that the Office of General Counsel was requesting the restoration of 421(a)(5).

5. On 16 January 1979, AGC asked that we again review Title IV of S. 2525 (OGC 79-00480; OL 9 0241). Subsection 421(a)(5) was reestablished in part. That part commencing with "acquire, construct, or alter" and ending with "facilities, and appurtenances" was omitted. In our response to the AI/DDA, dated 31 January 1979 (OL 9 0241a), we asked that the omitted part be restored.

6. The above represents a recap of the current status of S. 2525.

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